

# State of the Judiciary, Jefferson City, March 2022

8 March 2022

*The Honorable Paul C. Wilson,  
chief justice of the Supreme Court of Missouri,  
delivered this State of the Judiciary address Tuesday morning, March 8, 2022,  
during a joint session of the Missouri General Assembly in Jefferson City, Missouri.*

*(Video courtesy Missouri House of Representatives communications office;  
photos courtesy Tim Bommel, House communications.)*

## **Introduction**

Speaker Vescovo, Lieutenant Governor Kehoe, President Pro Tem Schatz, members of the 101st General Assembly, statewide office holders, cabinet members and other executive branch officials: thank you for this opportunity to speak to you this morning.

The concept of separation of powers is one of our Constitutional cornerstones, but it can be misleading. Separate does not mean adversarial, and it never has. In truth, our constitution demands just the opposite. Despite the different roles we play in our system of checks and balances, all three branches must continually communicate and cooperate if we are to serve the constitution and the people well.

Obviously, my address this morning is largely ceremonial, but that does not mean it doesn't matter. I think it's important for the people of our great state to see us gathered on occasions like this – together – demonstrating the cooperation that goes on, not just on this day, but throughout the year. For that reason, and in that spirit, I deeply appreciate your willingness to listen to what I have to say.

There are somewhere north of 200 of us in this room, and we all asked to be here. No one made us take the path of civil service that brought us here. Every one of us is a volunteer, and we worked hard to have the chance to serve this state and its people. Others can rail against “the government” as if it were some nameless, faceless entity, but we in this room know better. You, me, and the



nearly 50,000 other public servants who live and work in virtually every community in this state, we *are* the government. Government is people and, for today's purposes, it's us.

I was born and raised here in Jefferson City, and maybe that's why this idea is so important to me and so ingrained in who I am. The legislature wasn't just some headline to me. Instead, it was my neighbor and childhood idol Jim Strong, who served in this chamber and then in the Senate down the hall. The legislature *was* my Uncle Jim – and all those he would introduce me to on the many afternoons I came to watch him in this building.

Most of the kids I grew up with had parents who worked in government, at all levels. My dad served many years as a judge in the municipal and associate circuit courts. My mom worked in public health for nearly 50 years, starting as a school nurse and ending up as a division director in the department of health in the Ashcroft administration.

When you grow up here in Jefferson City, even statewide office holders are just people, as I learned one cold winter's day 50-some years ago when I accidentally knocked Jack Danforth off his feet at the skating rink. My Dad helped him, and me, up, and then said to me: "You know who that is, don't you!?" Well, of course, I didn't ... but I quickly learned and, Senator, if you're listening, please accept this very overdue apology!

My father is no longer around to pick me up when I make a mistake, but my wife Laura is. She's the love of my life for more than 30 years, and she's with us in the gallery today. Please make her feel welcome.

The point is, I grew up believing that government *is* people – well meaning, hardworking people – and I believe that still today. I promise you it's no less true of me or my colleagues than it is of you or yours. We all have different jobs, and we serve in different ways, but we are united in the spirit and goal of service. This unity of purpose brings us together this morning so the people of this state can see us – gathered in *their* name – to discuss *their* business ... together.

So, let's get down to business ....

### ***Court employees***

The state of the judicial branch is sound. Last year, despite all its challenges, more than 750,000 circuit court cases were resolved. While the pandemic impacted our backlog, its effect was not as big or as widespread as some feared, and we are working to clear it.

And, when I say we, I mean them – the 350 trial judges, and the more-than-3,000 court clerks, bailiffs, court reporters, juvenile officers, juvenile detention officers, and all the other staff who *really* make up the judicial branch. It's not the seven of us – it's all of them and the work they do. We know it, they know it, and I want all of you to know it too.



They are the ones who kept the courts open through the pandemic. They are the ones who work to help keep Missouri kids safe. Who collect and disperse more than \$100 million dollars every year. Who schedule every court hearing and help people know when and where they're supposed to be.

Our people are your people, your constituents, your friends and neighbors, and they live and work in every corner of this state. They are the face and beating heart of your judicial system. The work they do is incredibly important and often incredibly difficult, and I would ask you to help me recognize them now.

On their behalf, I thank you for the cost-of-living increases you have been able to give in recent years and, especially, the one you approved just a few days ago. That kind of increase is important to our employees, not merely in terms of buying power, but because it demonstrates that you in this chamber know who they are. You see them, and you proudly recognize the work they do.

But there is more we can, and need, to do. Like the rest of government, we struggle to retain experienced workers and recruit new employees to

careers in the courts. All too often, we spend precious tax dollars recruiting and training people, giving them the skills and experience we need them to have, only to see them move to better-paying, private-sector jobs after our training is complete. A market based approach to compensation will give us a fighting chance to attract and keep expert staff in our courtrooms and courthouses. Those folks want to serve, just as all of us do, and competitive compensation will allow them to do that. By continuing to work with you, we can find a common-sense, long-term solution to this problem.

## ***Judges***

I urge each of you to reach out to your local judges. Spend some time in your local courthouses. Talk with your local court staff, and see what's happening there. Decide for yourselves how busy Missouri's courts are, how fair they are, and how well we serve the laws you write and the constitutional principles every one of us has sworn to protect. My hope is you'll see ways we can work together to improve our justice system.

One reason I ask you to do this is because so many of our judges are new. In the last four years alone, 40 percent of all the trial and appellate judges have been new to their positions. Some of those changes came as the result of local elections, but more than three fourths of the new judges over these last four years – including 109 trial judges and 13 appellate judges – were appointed by the governor either under article IV, section 4, or under our constitution's nonpartisan court plan.

One of these recent appointees is Judge Robin Ransom, the newest member of the Supreme Court. She is a native of St. Louis. She worked as a public defender, a prosecutor, a family court staff

attorney, a court commissioner and then a circuit judge. In 2019, Governor Parson elevated her to the Court of Appeals and then, last May, appointed her to the Supreme Court. She is not only the owner/operator of the most infectious smile you've ever seen, but she also just might be the best bowler in this room! We could not be more thrilled to work with her. Please join me in recognizing our newest judge.

### ***Court security***

With the judicial branch working in more than 120 courthouses around the state, security – for citizens, lawyers, judges and other court personnel – has always been a priority.

Thankfully, security *in* our courthouses has come a long way since 1992, when a man shot four people in a St. Louis County courtroom and then executed his wife on the witness stand. But security risks continue, they're on the rise, and they are no longer just inside the courthouse.

Those of us in public service are increasingly vulnerable. As public servants, we know we are not – and should not be – immune from public scrutiny and criticism ... it comes with the job. But none of us – or our families – should be put in harm's way.

In 2005, a judge's husband and mother were murdered in Illinois. In 2015, a judge survived an assassination attempt outside her home in Texas. And, in 2020, a New Jersey judge's husband was shot and her son killed in an attack meant for her. All three states responded with laws aimed at protecting the private personal information of judges and their families, but those laws came too late to prevent those tragedies. We owe it to the those who serve in Missouri's judiciary not to learn – in the worst possible way – that we, too, did too little, too late.

Missouri judges have been harassed online and at home, they've been threatened, and they've had their personal information posted on the web. Eleven states have already passed laws enhancing safety for judges, and more are considering such legislation now. We appreciate Representative DeGroot's efforts in this area and believe that legislative protections for Missouri's judges, together with the governor's budget recommendations you're now considering, are a good start – and we look forward to working with you on this issue as well.

### ***Court technology***

Online services are revolutionizing the courts just as they are the rest of government. This was true before COVID, and the last two years have greatly accelerated this trend. When conditions limited the number and types of hearings that could be held in person, we held thousands of hearings online, in virtual courtrooms. This approach made it possible to keep the work of the judiciary moving, and it was well received by those the courts are here to serve. Data from around the country shows that virtual proceedings not only make courts more efficient, but they also increase access to justice for many.

But this demand for increased online services highlights how much more difficult it is for some to make use of those services than others. There can be no doubt the "digital divide" is real. And it can be caused as much by geography as by poverty. Courts, whether virtual or in person, must be equally open and accessible for *all* Missourians, regardless of who you are or where you live.

This is why we're excited by Governor Parson's recommendations for broadband expansion around the state. Increased bandwidth, especially for our rural courthouses and the communities they serve,



will help us better utilize online services to increase efficiency *and* access, making your courts more user-friendly for everyone.

### ***Treatment courts***

Those logistical issues – compensation, security, and infrastructure – are important, but only because they make it possible for the judicial branch to fulfill the role assigned to us. I want to turn now to some of the more creative work going on in our courts, work that presents continued opportunities for cooperation among our three branches.

One recurring theme in State of the Judiciary addresses over the past 20 years has been drug courts. They have been one of the greatest collaborative successes showing what is possible when the three branches work together with creativity and a commitment to serving Missourians better.

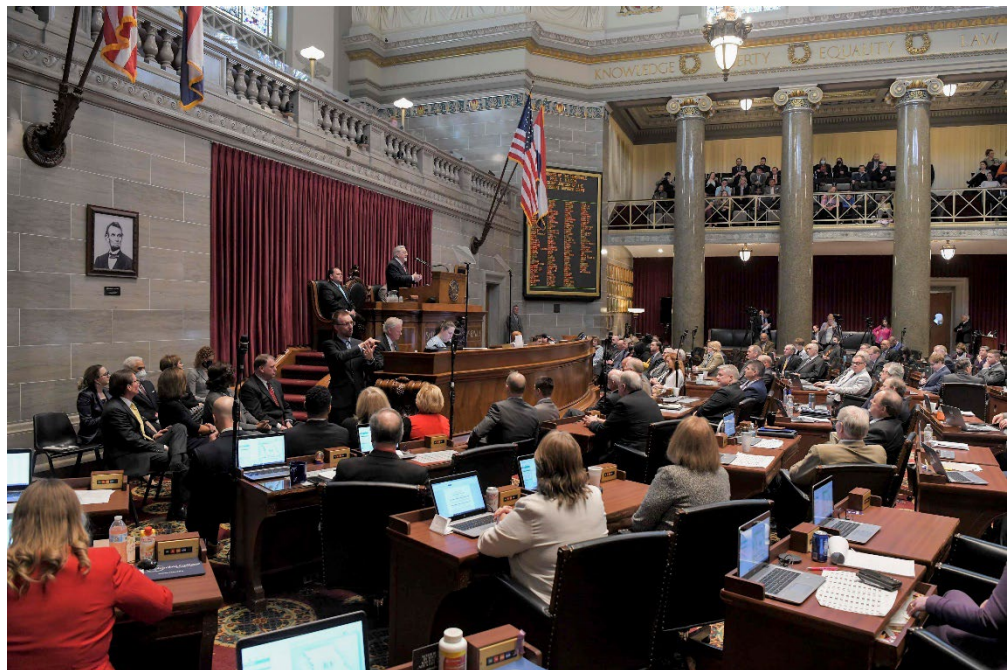
By identifying appropriate offenders and diverting them from prison to treatment, we – together – found a better way to serve not only those individuals, but also their families and society as a whole. This approach is cost effective, to be sure, but more importantly, it's fair ... and just. These programs stand as proof that our justice system often does better when it responds to the whole person and not merely to their conduct. This was true more than a century ago when legislation created the very first diversion court, which we now call juvenile courts, and it remains true today.

### ***Veterans courts***

But there is another diversion court, another form of treatment court, that I believe needs the same sort of sustained cooperation and commitment that – together – we have given drug courts and juvenile courts in this state. I'm talking about veterans courts.

As home to Fort Leonard Wood, Whiteman Air Force Base, and many other installations, Missouri is proud to host some of the most elite fighting men and women in the world. But we are equally proud when service members choose to make Missouri their home after they leave active duty. As Governor Parson noted in his State of the State address,

Missouri ranks ninth in the nation as home for our retired military.



Sadly, however, the burdens of military service do not magically disappear the moment a veteran leaves active duty. For some, those burdens can lead to mental health struggles that manifest themselves in substance abuse and conduct that, unfortunately, can land them in our justice system.

Then, our choice is clear. We can view those veterans solely in terms of their *conduct*, or we can look at the *context* from which their conduct arises and see whether treatment and other forms of support can produce a better outcome, both for the veterans and for all of us they have served.

Make no mistake: Missouri veterans courts work. We now have 15 programs serving 40 counties and, in the past five years alone, they've graduated more than 360 former service men and women. One reason these programs work so well is the role that volunteer veterans and active-duty soldiers play as mentors. No one can help a veteran like someone who's walked a mile – and probably a thousand miles – in their combat boots. Missouri veterans courts have demonstrated the kind of success we've come to expect from drug courts and other treatment courts ... and now it's time we do more.

Today, veterans courts serve only a third of our local jurisdictions, largely clustered around VA hospitals and clinics. Outside of those areas, however, resources are scarce. The simple truth is that veterans who need help throughout most of Missouri will not have access to a veterans court should they find themselves on the wrong side of the law. We can work together to fix this, and I hope you will agree we owe it to these men and women as the very least we can do to honor the sacrifices they've made.

### ***Cooperative solutions***

And there are other examples where our three branches have communicated and cooperated to better serve Missouri and her people:

- The Justice Reinvestment Initiative led by the department of corrections;
- the Partnership for Child Safety and Well Being, where we work together with the children's division, youth services, and the department of mental health;
- and the initiative we call Leading Change in Criminal Justice, which helps local stakeholders better coordinate services for individuals with co-occurring mental health challenges and substance use disorders.

And the list goes on and on and on. Leaders from across government ... people working together to empower local solutions. Are you sensing a winning formula? I hope so.

So, I am happy to report that the State of the Judiciary is sound, and the future is bright. While I've mentioned a few of the ways we *can* work – and *have* worked – together, the opportunities for cooperation are limited only by our creativity and our courage.

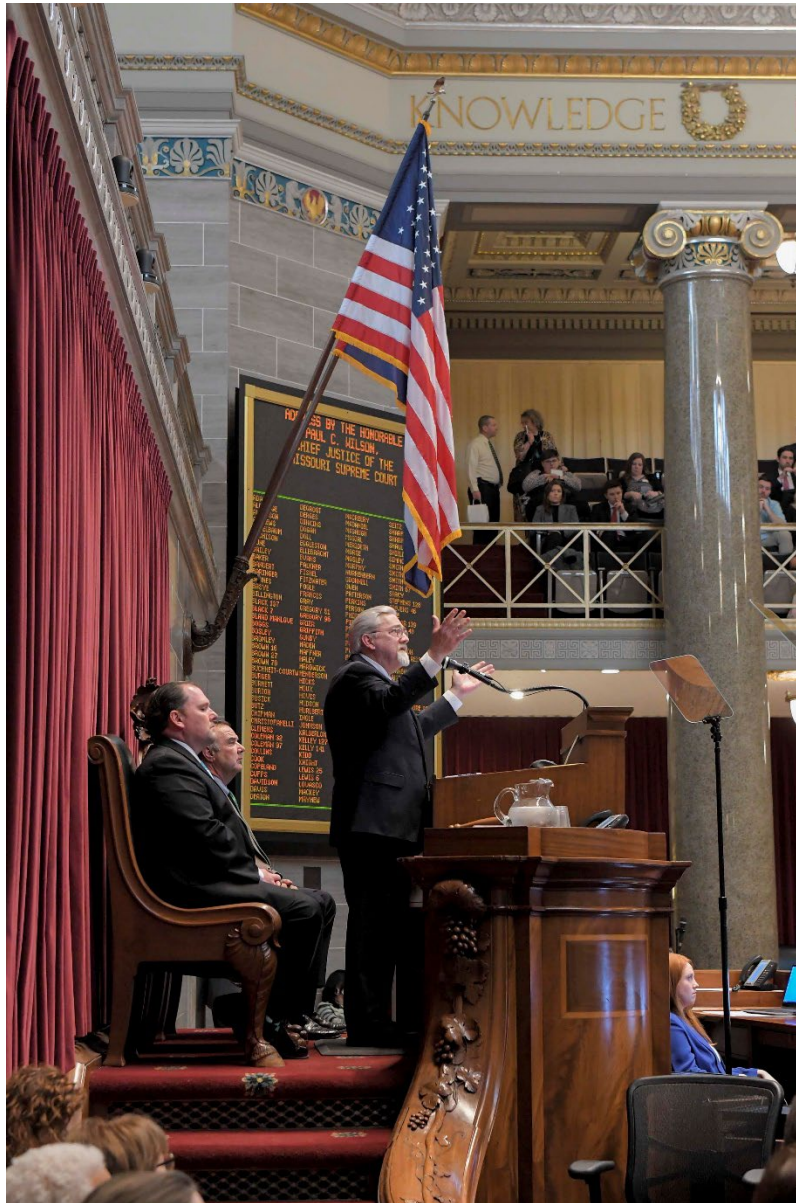
### ***Conclusion***

Missouri has always had her share of challenges. For example, as you all know, fire destroyed the state Capitol in 1911. But, as Missourians always do, we rebuilt, and this magnificent building was the result.

Yet the beauty of the design and the quality of the work that went into this building were *not* a celebration of what Missouri *was*, or a salute to leaders who *already* served. Instead, I believe this

building – and, in particular, this chamber, The People’s Chamber – was designed and built as a monument to what Missouri *can* be, and as a challenge to all those who would seek to lead in the future.

The commission overseeing the new Capitol project identified 14 qualities – characteristics the people of Missouri should aspire to embody. But I think it’s instructive that – of all the places around the Capitol that the commission might have chosen to display these qualities – they chose here. Those 14 traits are literally carved into the walls of this chamber. They have stood here for more than a century as a silent challenge to all those who sought to lead.



Even now, today, they challenge you and me to find these virtues in ourselves and in each other.

To find Honor and Truth and Charity,

To find Justice and Equality and Liberty,

and all the rest.

To find them within ourselves *and* in each other – and to let those virtues guide the work we’ve volunteered to do.

And yet, as I look at these virtues, I can’t help but notice the one that *isn’t* there. Courage. Maya Angelou, a native of St. Louis and one of America’s greatest poets, once said:

Courage is the most important of all the virtues, because without courage you can’t practice any other virtue consistently. You can practice any virtue erratically, but nothing consistently without courage.

You see, it takes courage to lead; to make the decision you know is right but may not be popular; to listen and cooperate and compromise; to build a future for everyone and not merely those

who look and sound like us. There is no tomorrow for *any* of us that is not the tomorrow for *all* of us, and that future will only be as bright as we make it.

So, will those of us who have gathered in this chamber today have what it takes to practice these virtues?



To practice Justice and Truth ... Liberty and Honor ... Equality and Charity ... and all the rest?

And will we have the Courage needed to practice them consistently?

With God's help and blessings, I believe we will.

Thank you.

